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DK W BK 628 PG 632  
DE SOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

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Prepared By: Realty Title, 6397 Goodman Rd, Suite 112, Olive Branch, MS 38654 (662)893-8077

\* Return To: Realty Title, 6397 Goodman Rd, Suite 112, Olive Branch, MS 38654 (662)893-8077

### **WARRANTY DEED**

Grantor(s): **Dorthy McGuire, Administratrix of the Estate of Heath McGuire, Deceased**  
Address: 525 RAINEE, WEST MEMPHIS, AR 72301

Phone: 901-301-3359 (Home) \_\_\_\_\_ (Work, if any)

Grantee(s): **Miguel Loya and Yesenia Loya**  
Address: 7100 BETHEL ROAD, OLIVE BRANCH, MS 38654

Phone: 901-215-7433 (Home) 901-409-3213 (Work, if any)

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, Dorthy McGuire, Administratrix of the Estate of Heath McGuire, Deceased does/do hereby sell, convey and warrant unto Miguel Loya and Yesenia Loya, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land lying and being situated in DeSoto County, Mississippi, more particularly described as follows, to wit:.

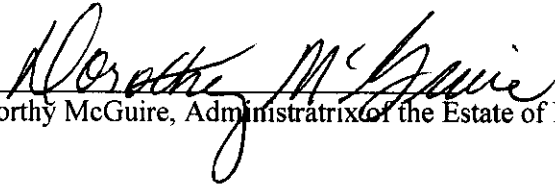
**LEGAL DESCRIPTION: Lot 8, Section B, A. E. Allison Subdivision, situated in Section 20, Township 2 South, Range 6 West, as shown on plat of record in Plat Book 7, Page 42-43 in the Chancery Clerk's Office of DeSoto County, Mississippi.**

This Deed is being executed by Dorothy McGuire, Administratrix of the Estate of Heath Alan McGuire, Deceased. Said execution is pursuant to and in compliance with an Order of the Chancery Court of DeSoto County, Mississippi entered March 10, 2010. A copy of said Order is attached to this Deed.

The warranty in this deed is subject to rights of way and easements for public roads and public utilities, subdivision and zoning regulations in effect in DeSoto County, Mississippi, and further subject to all applicable building restrictions and the restrictive covenants of record.

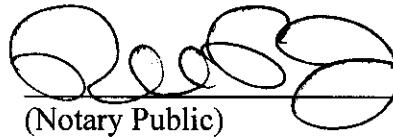
IT IS AGREED and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the parties hereto agree to pay on the basis of an actual proration.

WITNESS our signature this 11th day of March, 2010.

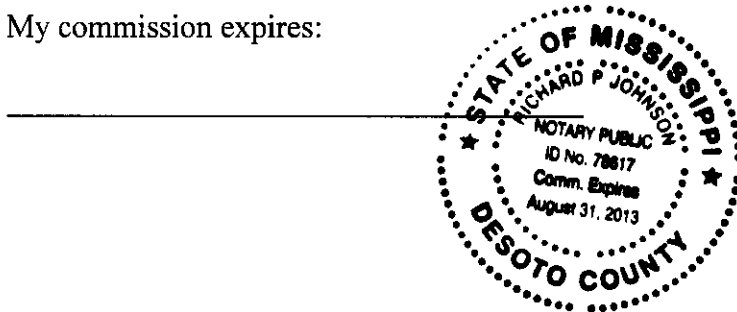
  
Dorothy McGuire, Administratrix of the Estate of Heath McGuire, Deceased

STATE OF MISSISSIPPI  
COUNTY OF DESOTO

Personally appeared before me, the undersigned authority in and for the said county and state, on this 11<sup>th</sup> day of March, 2010, within my jurisdiction, the within named **Dorothy McGuire**, personally known to me or proven by sufficient evidence, who acknowledged that she executed the above and foregoing instrument in her representative capacity as Administratrix of the Estate of Heath McGuire, Deceased after having been first duly authorized to do so by an Order of the Chancery Court of DeSoto County, Mississippi entered March 10, 2010 (attached hereto).

  
(Notary Public)

My commission expires:



IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

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IN THE MATTER OF:

THE ESTATE OF  
HEATH ALAN McGUIRE, DECEASED

CAUSE NO: 09-08-1830

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**ORDER AUTHORIZING SALE OF LAND**

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THIS CAUSE came on this day to be heard on the Petition of Dorothy McGuire, Administratrix of the Estate of Heath Alan McGuire, and the sole heirs under the Estate of Heath Alan McGuire, Brian Baker, Nicholas McGuire and Lucas McGuire by and through his natural mother and guardian, Laurie Schmidt, praying that this Court approve the sale of certain land owned by the decedent Heath Alan McGuire at the time of his death, and the Court having heard and considered said Petition and being fully advised in the premises finds the following:

1.

That there is sufficient personal property to pay all the debts and taxes of the estate, but some of the land owned by the decedent is rental property which will depreciate rapidly and will require extensive management and that your Petitioners desire to sell certain properties of real estate by executing and delivering a good and valid Warranty Deed conveying the lands described herein.

2.

That Petitioner, Dorothy McGuire, is the duly acting Administratrix of the captioned estate and that Brian Baker, Nicholas McGuire and Lucas McGuire are the only surviving heirs-at-law; and that Petitioners, collectively, are all of the parties interested in the captioned estate and,

**FILED**  
**MAR 10 2010**  
**WE DAVIS, CLERK**

consequently, it will not be necessary that process be issued for any other person in order for the Court to have jurisdiction of this matter.

3.

That, in accordance with law, Notice to Creditors was published in the DeSoto Times Tribune, a newspaper published in DeSoto County Mississippi, on November 3, 2009, November 10, 2009, and November 17, 2009, and that the time within which claims may be probated against the estate of said decedent has expired and that no claims were presented for probate. Further, under the provisions of Section 91-7-205 of the Mississippi Code, since all legatees, devisees, heir-in-law and other interested parties have joined herein, that the posting of bond conditioned for the faithful application of the proceeds of the sale of the land be waived.

4.

That Petitioners desire to convey to Miguel and Yesenia Loya, purchasers, for Eighty-seven thousand (\$87,000.00) Dollars, in cash, the following described land situated in DeSoto County, Mississippi, known as 7106 Bethel Road, and more particularly described as follows:

Lot 8, Section B, A.E. Allison Subdivision, situated in Section 20, Township 2 South, Range 6 West, DeSoto County, Mississippi and recorded in Plat Book 7, Page 42 in the Chancery Clerk's Office of DeSoto County, Mississippi

That your Petitioners desire to sell said property by having the Court authorize Dorothy McGuire, Administratrix, to sign, execute and deliver the original of the Warranty Deed, copy of which is attached thereto as Exhibit "A" and made a part thereof as if copied therein.

IT IS, THEREFORE, ORDERED, ADJUDGED, AND DECREED that Dorothy McGuire, Administratrix, is authorized to sign, execute and deliver the original Warranty Deed, a copy of

which is exhibited with the Petition filed herein as Exhibit "A," upon receipt from Miguel and Yesenia Loya, purchasers, of the sum of Eighty-seven thousand (\$87,000.00) Dollars in cash, and since each of the legatees and devisees are the sole heirs-at-law of decedent, that posting of bond conditioned for the faithful application of the proceeds of the sale is hereby waived.

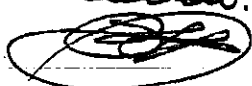
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that upon the due execution

and delivery of the Warranty Deed exhibited with the Petition filed therein as Exhibit "A," the sale

will become effective immediately without further confirmation of the sale by this Court. *All*

*net proceeds from the sale shall be held in counsel for the Estate's escrow.*

SO ORDERED, ADJUDGED AND DECREED this the 10<sup>th</sup>, day of March, 2010.

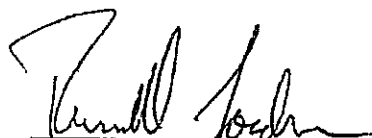


  
CHANCELLOR

Presented by:

HEATON AND MOORE, P.C.

By:



Robert L. Moore (MSB #3458)  
Russell B. Jordan (MSB #102366)  
Attorneys for Petitioner  
100 N. Main Bldg., Suite 3400  
Memphis, Tennessee 38103  
Ph.: (901) 526-5975

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**WARRANTY DEED**

Grantor(s): **Dorothy McGuire, Administratrix of the Estate of Heath Alan McGuire, Deceased**  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ (Home) \_\_\_\_\_ (Work, if any)

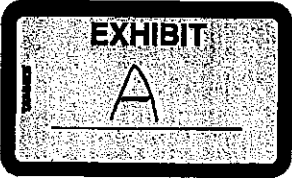
Grantee(s): **Miguel Loya and Yesenia Loya**  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ (Home) \_\_\_\_\_ (Work, if any)

FOR AND IN CONSIDERATION of the sum of Ten Dollars (\$10.00) cash in hand paid and other good and valuable considerations, **Dorothy McGuire, Administratrix of the Estate of Heath Alan McGuire, Deceased** does/do hereby sell, convey and warrant unto **Miguel Loya and Yesenia Loya**, as tenants by the entirety with full rights of survivorship and not as tenants in common, the land lying and being situated in DeSoto County, Mississippi, more particularly described as follows, to wit:

**LEGAL DESCRIPTION: Lot 8, Section B, A. E. Allison Subdivision, situated in Section 20, Township 2 South, Range 6 West, as shown on plat of record in Plat Book 7, Page 42-43 in the Chancery Clerk's Office of DeSoto County, Mississippi.**

The warranty in this deed is subject to rights of way and easements for public roads and public utilities, subdivision and zoning regulations in effect in DeSoto County, Mississippi, and further subject to all applicable building restrictions and the restrictive covenants of record.

IT IS AGREED and understood that the taxes for the current year have been prorated as of this date on an estimated basis, and when said taxes are actually determined, if the proration as of this date is incorrect, then the parties hereto agree to pay on the basis of an actual proration.



By way of explanation, the Grantor herein is authorized to convey this property by Order of the Chancery Court of DeSoto County, Mississippi dated \_\_\_\_\_ in the matter of the Estate of Heath Alan McGuire, Deceased, Cause No. 09-08-1830.

WITNESS my signature this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

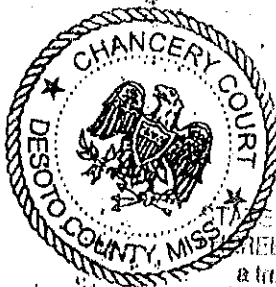
**Dorothy McGuire, Administratrix of the  
Estate of Heath Alan McGuire, Deceased**

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

Personally appeared before me, the undersigned authority in and for the said county and state, on this \_\_\_\_\_ day of \_\_\_\_\_, 2010, within my jurisdiction, the within named Dorothy McGuire who acknowledged that she is the Administratrix of the Estate of Heath Alan McGuire and that she executed the above and foregoing instrument in her representative capacity after having been first duly authorized to do so.

\_\_\_\_\_  
(Notary Public)

My commission expires:  
\_\_\_\_\_



STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is  
a true copy of the original filed in this office.  
This the 10 day of March, 2010.  
W.E. Davis, Clerk of the chancery court  
S. Patrick